

[CHAPTER 458]

AN ACT

To withdraw certain land as available land within the meaning of the Hawaiian Homes Commission Act of 1920 (42 Stat. 108), as amended, and to restore it to its previous status under the control of the Territory of Hawaii.

June 12, 1948
[H. R. 6091]
[Public Law 634]

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the portion of Hawaiian Homes Commission land of Waiakea-Kai or Keaukaha, South Hilo, Hawaii, Territory of Hawaii, more fully described as follows, is withdrawn as "available land" within the meaning of the Hawaiian Homes Commission Act of 1920 (42 Stat. 108), as amended, and is hereby restored to its previous status under the control of the Territory of Hawaii:

Hawaii.
Withdrawal of certain "available land."

48 U. S. C. § 691 *et seq.*
Ante, pp. 295, 303;
post, p. 390.

Portion of Hawaiian home land of Keaukaha, tract 2, Waiakea, South Hilo, island of Hawaii, Territory of Hawaii, as returned to the Commissioner of Public Lands of the Territory of Hawaii by resolution numbered 85 of the Hawaiian Homes Commission, dated July 18, 1944, and more particularly described as follows:

Beginning at a spike at the northwest corner of this tract of land and on the southeast corner of the intersection of Nene and Akepa Streets, the coordinates of said point of beginning referred to Government Survey Triangulation Station "Halai" being five thousand two hundred and eight and twenty-one one-hundredths feet north and twenty-four thousand eight hundred and eighteen and six one-hundredths feet east, and running by azimuths measured clockwise from true south:

1. Two hundred and ninety degrees eleven minutes five hundred and sixty-one and eighty-two one-hundredths feet along the south side of Nene Street;

2. Thence along same on a curve to the left with a radius of one thousand four hundred and sixty-five and four-tenths feet, the chord azimuth and distance being two hundred and sixty-eight degrees thirty-seven minutes one thousand and seventy-seven and thirty one-hundredths feet;

3. Two hundred and forty-seven degrees three minutes five hundred and ninety-six and sixty-two one-hundredths feet along same;

4. Three hundred and sixty degrees no minutes one thousand two hundred and thirty-seven and eighty-five one-hundredths feet;

5. Ninety degrees no minutes two thousand one hundred and fifty-three and sixty-nine one-hundredths feet;

6. One hundred and eighty degrees no minutes one thousand one hundred and seventy-three and four one-hundredths feet along the east side of the proposed extension of Akepa Street to the point of beginning, and containing an area of fifty acres, more or less.

SEC. 2. Notwithstanding the foregoing provisions of this Act, if, at any time, in the opinion of the Commissioner of Public Lands, use of the above-described lands has been discontinued by the Department of Commerce, upon the making of such a determination by the Commissioner of Public Lands such lands shall become available lands within the meaning of section 203 of title II of the Hawaiian Homes Commission Act, 1920, as amended.

Approved June 12, 1948.

42 Stat. 109.
48 U. S. C. § 697.
Ante, pp. 295, 303.

[CHAPTER 459]

JOINT RESOLUTION

To extend the time for the release, free of estate and gift tax, of powers of appointment, and for other purposes.

June 12, 1948
[H. J. Res. 395]
[Public Law 635]

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That section 403 (d) (3) of

Revenue Act of 1942.
amendments.

56 Stat. 944; 61 Stat. 178.

26 U. S. C. §§ 811, 812, 826, 861, 1000 and notes; Supp. I, §§ 811, 812, 861 notes.

Ante, pp. 116, 117-121, 123, 124; *post*, p. 1214.

56 Stat. 952.

26 U. S. C., Supp. I, § 1000 note.

the Revenue Act of 1942 (relating to the release of certain powers of appointment) is hereby amended by striking out "July 1, 1948" wherever it appears and inserting in lieu thereof "July 1, 1949"; and section 452 (c) of the Revenue Act of 1942 is hereby amended to read as follows:

"(c) **RELEASE BEFORE JULY 1, 1949.**—

"(1) A release of a power to appoint before July 1, 1949, shall not be deemed a transfer of property by the individual possessing such power.

"(2) This subsection shall apply to all calendar years prior to 1949 and to that part of the calendar year 1949 prior to July 1, 1949."

SEC. 2. For the purposes of sections 403 and 452 of the Revenue Act of 1942, a power to appoint created by a will executed on or before October 21, 1942, shall be considered a power created on or before such date if the person executing such will dies before July 1, 1949, without having republished such will, by codicil or otherwise, after October 21, 1942.

EXTENSION OF TIME FOR ASSESSMENT OF DEFERRED EXCESS PROFITS TAX

SEC. 3. (a) Section 710 (a) (5) of the Internal Revenue Code is hereby amended by adding at the end thereof the following: "Notwithstanding any other provision of law or rule of law, to the extent that any amount of tax remaining unpaid pursuant to this paragraph is in excess of the reduction in tax finally determined under section 722, such excess may be assessed at any time before the expiration of one year after such final determination."

(b) The amendment made by this section shall be effective as if made by section 222 (b) of the Revenue Act of 1942.

Approved June 12, 1948.

[CHAPTER 462]

JOINT RESOLUTION

Providing for appropriate observance of the two-hundredth anniversary of the founding of Washington and Lee University.

Whereas during the year 1949 there will be celebrated the two-hundredth anniversary of the founding of the Washington and Lee University as Augusta Academy; and

Whereas George Washington made this institution the beneficiary of the gift which the Commonwealth of Virginia tendered him for his services in the Revolution; and

Whereas Robert E. Lee, declining easier and more lucrative positions, gave the last years of his life to the service of education in that college; and

Whereas the contributions of these two eminent citizens, joined with those of a long roll of others devoted to the public good, have forged an institution which has served the Nation for two centuries in maintaining and promoting the ideals of constitutional American liberty: Now, therefore, be it

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled, That the Government and people of the United States unite with Washington and Lee University and with the Commission on the Washington and Lee University Bicentennial authorized by the General Assembly of the Commonwealth of Virginia in the appropriate observance of this anniversary.

56 Stat. 942, 952.
26 U. S. C. §§ 811, 812, 826, 861, 1000 and notes; Supp. I, §§ 811, 812, 861, 1000.

Ante, pp. 116, 117-121, 123, 124; *post*, p. 1214.

56 Stat. 917.

26 U. S. C. §§ 710-736 note.

54 Stat. 986.

26 U. S. C. §§ 710-736 note.

56 Stat. 917.

26 U. S. C. §§ 710-736 note.

June 14, 1948

[S. J. Res. 227]

[Public Law 636]

Washington and Lee University, Va.
Two-hundredth anniversary of founding.